

ITOH
Appl. No. 10/686,631
September 28, 2006

AMENDMENTS TO THE DRAWINGS

Please amend Fig. 2 as shown on the attached annotated drawing. A replacement sheet including the drawing changes is also attached.

Attachment: Replacement Sheet(s)
Annotated Sheet Showing Changes

REMARKS/ARGUMENTS

Claims 1-3 and 6 are present in this application. By this Amendment, the drawings and claims 1 and 6 have been amended. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Claims 1-3 were provisionally rejected on the ground of non-statutory obviousness-type double patenting over claims 1, 4 and 5 of co-pending Application No. 10/766,883, now U.S. Patent No. 7,112,303. Without conceding this rejection, a Terminal Disclaimer has been filed concurrently herewith. Applicant thus respectfully submits that the rejection is moot.

Withdrawal of the rejection is requested.

Claims 1-6 were rejected under 35 U.S.C. §103(a) over Japanese Patent Publication 2000-84436 to Takeda in view of Miller, Muszak et al. and Hubert et al. This rejection is respectfully traversed.

Without conceding the Examiner's characterizations of the cited references or the Examiner's comments in paragraph 7 of the Office Action, claim 1 has been amended to recite that the centrifuge unit includes a plurality of cabinets stacked in a plurality of layers in a vertical direction. The cabinets store specimen centrifuges, where a wall of the cabinets is open and closed through which the specimen centrifuges are insertable and removably stored in the cabinets. As shown in Fig. 7, with reference to the description at page 10, line 16 - page 11, line 3, the specimen centrifuges 11, 12 and 13 are insertably and removably stored in the respective cabinets 110, 120 and 130 stacked in layers. The rear walls of the cabinets 110, 120 and 130 are formed of lids 112, 122 and 132 (not shown) that can freely be opened and closed. Inner boxes 113, 123 and 133 containing the specimen centrifuges 11, 12 and 13 can be slid into and out of the cabinets 110, 120 and 130 in the directions of double-headed arrow P. Thus, for example,

the specimen centrifuge 13 can be drawn out, as shown in Fig. 7, to perform predetermined maintenance or the like.

At least this subject matter is lacking in the references of record. Takeda lacks any vertically stacked structure, and the vertically stacked incubators 52, 54 in Miller are not in any manner insertably and removably stored in vertically stacked cabinets. Muszak similarly lacks this structure disclosing incubators 36, 40 movable via rack and pinion gearing. Hubert discloses an automated centrifuge loading device including a centrifuge 16, which the Examiner contends is a "cabinet." Without conceding this contention, the centrifuge 16 in the Hubert patent does not incorporate vertically stacked cabinets as claimed for removably storing specimen centrifuges, nor does Hubert even remotely disclose or suggest an openable and closable wall in a "cabinet" through which the specimen centrifuges are stored.

Applicant thus respectfully submits that the rejection is misplaced.

With regard to the dependent claims, Applicant submits that these claims are allowable at least by virtue of their dependency on an allowable independent claim.

Reconsideration and withdrawal of the rejection are respectfully requested.

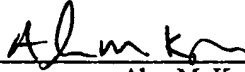
In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims are patentable over the art of record and that the application is in condition for allowance. Should the Examiner believe that anything further is desirable in order to place the application in condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Prompt passage to issuance is earnestly solicited.

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Respectfully submitted,

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